

PLANNING AND ZONING COMMISSION
Monday April 9, 2007 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Ms. Solomon, Mr. Vasko and Mr. Wynkoop. Mr. Wynkoop made a motion to excuse Mr. Graber, Mr. Harper and Mr. McCoy. Mr. Vasko seconded the motion. The motion passed unanimously.

Mr. Christensen introduced Chris Strayer, the village's new Development Director.

Approval of Minutes

Because a quorum to adopt those minutes was not present, Mr. Christensen stated this will be delayed until later in this meeting.

At the end of the meeting Mr. Wynkoop made a motion to approve the minutes of the March 12, 2007 regular meeting. Mr. McCoy seconded the motion. Voting yes were Mr. Christensen, Mr. McCoy, Mr. Vasko and Mr. Wynkoop. Ms. Solomon abstained. The motion passed 4-0-1.

Public Comment

There were no comments.

Administer of Public Oath

Mr. Christensen administered the public oath.

Public Hearings

Applications #VA-07-05 The property owner is Tom Bigwood, located at 7498 Ida Way. The applicant, Steve Crow, is requesting a Variance to Section 1157.04 (a) (7) of the Zoning Code to rear yard setbacks. Andrew Dutton, Zoning Officer, gave the staff report and answered questions of the Planning and Zoning Commission. Mr. Bigwood and Steve Crow, agent for Mr. Bigwood, were present to answer questions from the commission.

Mr. Crow asked in the staff recommendations why staff is worried about setting a precedent. And also, why a 30-foot setback is required? He understands setbacks as to not encroach on other people's properties and privacy. But there is a reserve present and therefore it would encroach on other people's property. The request is only to reduce the setback from thirty feet to twenty-five feet. Also, Dominion Homes led the homeowner to believe that he would be allowed to build a sunroom on the property.

Mr. Christensen opened the floor to public comment.

Jeffrey Bond, 36 Washington Street, stated if a variance is granted then more will be allowed.

Mr. Wynkoop made a motion to close the public hearing. Ms. Solomon seconded the motion. The motion passed unanimously.

Mr. Wynkoop stated that he believed a precedent would be set. He also stated he did not understand why the room could not be made wider to meet the setback requirements.

Mr. Crow answered that the sunroom is an extension of the bump out and it would be a different roofline.

Mr. Vasko stated that he really would not want an encroachment on a reserve. He asked if the sunroom could be moved to the side of the home.

Mr. Vasko made a motion to approve Application #VA-07-05 allowing the applicant a variance to the rear yard setback. Mr. Wynkoop seconded the motion. The motion failed unanimously.

Application #VA-07-06 The property owner is Grace Bible Church, located at 424 Gender Road. The applicant, Martin McDonald (Church Deacon), is requesting a variance to Section 1195.04 (e) of the Zoning Code to the number of accessory structures in a residential district. Mr. Dutton gave the staff report and answered questions of the Planning and Zoning Commission. Tom Yost (Church Deacon) was present on behalf of Mr. McDonald to answer questions from the Commission.

Mr. Christensen noted that Mr. McCoy arrived at 7:19 p.m.

Mr. Vasko asked if there is a requirement that stated accessory structures must be located completely to the rear of the primary structure. Allan Neimayer, Planning and Zoning Administrator, stated yes that is a requirement. He would like to see some screening to area residents.

Mr. Wynkoop agrees with the screening. Mr. Yost stated that he has no objection to planting around accessory structure. Mr. Vasko stated that he would like to see both accessory structures screened. Mr. Yost stated that he would be okay with screening both accessory structures. Mr. Vasko asked that they contact the Urban Forester for guidance on the screening

Mr. Wynkoop made a motion to close the public hearing. Mr. McCoy seconded the motion. The motion passed unanimously.

Mr. McCoy made a motion to approve Application #VA-07-06 with the following conditions:

1. A front gate shall be placed on the north side of the existing dumpster.
2. Landscaping shall be provided to screen the existing accessory structure, the existing dumpster, and the proposed accessory structure from residential properties. Consult with the village's Urban Forester for appropriate screening, and follow his recommendations.

Mr. Wynkoop seconded the motion. The motion passed unanimously.

Applications #ZA-07-01 Zoning Code Amendments to Chapters 1141, 1143, 1145 and 1147, initiated by the Planning and Zoning Commission. The proposed amendments deal with the filing requirements and review process for site plans, variances, conditional uses and amendments. Mr. Neimayer outlined the changes to the amendments since the last Planning and Zoning Commission meeting.

Mr. Vasko asked if a minor site plan is still at thirty days. Mr. Neimayer responded that yes it gives us thirty days to review. Gene Hollins, Village Solicitor, presented his recommended changes to the code sections.

Mr. Christensen opened the floor to public comment. Jeffrey Bond, 36 Washington Street, agrees with the changes being made to be tougher on applicants/developers.

Mr. Christensen gave Tom Paige the Public Oath, since he arrived late. Tom Paige, 6357 Galston Court, brought up drainage problems to the rear of his property. He asked if zoning could put restrictions into effect to control drainage.

Mr. Wynkoop made a motion to close the public hearing. Mr. McCoy seconded the motion. The motion passed unanimously.

Mr. Wynkoop made a motion to table application ZA-07-01 on the purposed amendments until further notice to complete the changes. Ms. Solomon seconded the motion. The motion passed unanimously.

Pending Applications

Application #PSP-07-02 The property owners are Canal Pointe LLC and the Village of Canal Winchester, located on the south side of Howe Industrial Parkway at the corner of the future Rutherford Drive. The applicant, Christopher John of Dublin Building Systems, is requesting a Preliminary Site Plan for a 20,000 square foot athletic protective padding manufacturing facility (AK Athletic) with a future 5,000 square foot addition. Mr. Neimayer gave the staff report and answered questions of the Planning and Zoning Commission. Mr. Neimayer stated that at this time the request for the 5,000 square foot addition is no longer purposed. Rich Ireland, of Dublin Building Systems, was present to answer questions from the Commission.

Mr. Ireland stated that they would like a variance to the parking standards. The standards require thirty spaces and they would like to put in twenty-five spaces. The business will only have 20 employees maximum. Mr. Vasko stated that he would like additional screening and landscaping above the minimum of what the code requires. He might be willing to allow a "future spaces" area, if parking problems occur.

Mr. Christensen also stated that they might require a loop per Violet Township Fire Department requirements.

Mr. McCoy asked what changes were made to the elevations. Mr. Neimayer stated that the west side of the building will face Rutherford Drive and should have some character. Mr. Ireland stated they could put in some evergreens. Mr. Vasko said they could consider some variations to the building color to break it up. Mr. Ireland said that they could better on that wall with colors, materials and landscaping.

Kevin Murphy, Owner of AK Athletic, stated that they would like to tie into Rutherford Drive when it is built. He will have no problems adding parking spaces to that side of the building at that time. He also said that he has no problem putting windows on the west side of the building. Mr. Wynkoop asked about the tree line on Rutherford Drive. Mr. Neimayer stated that the Village is currently meeting with DBS.

Mr. McCoy made a motion to approve application #PSP-07-02 as presented with staff recommendations:

1. Village Council approving legislation authorizing the sale of the village's 0.51-acre parcel, and the completion of that transaction through the Canal Winchester Industry and Commerce Corporation.
2. Pending final site plan approval and Village Council's action on the sale of village property, the applicant shall file a lot split and combination (minor subdivision) application for review and approval.
3. Correct the pavement and building setbacks on the site plan.
4. Resolution of materials and colors used on the proposed building.
5. Resolution of sidewalk requirement.
6. Provide office sq. ft. information to determine the total of off-street parking space requirement.
7. Provide a landscaping plan with the final site plan submittal for review and approval.

Mr. Vasko seconded the motion. The motion passed unanimously.

Old Business

1. Discussion on the steering committee's final draft of the Land Use Plan Update that was distributed at the February 2007 regular meeting. Mr. Neimayer said that there will be a Planning and Zoning Commission work session on April 18, 2007 at 7:30 to update the Commission on the Land Use Plan Update.
2. Mr. Neimayer responded to last month's questions. The Duckworth property has five years from 10/06/2003 to file a Final Development Plan. The nursing home at Thrush Drive and Groveport Road has two years to proceed from March 2006.
3. The annexation of the former Brock property by default has EU (Exceptional Use) zoning. The village currently has control of the property, which should be rezoned to PID (Planned Industrial District) before the village transfers the property to Meijer.
4. Mr. McCoy asked about the Arson house in Villages at Westchester, if Mr. Hollins has been pressuring the bank to rebuild the house. Per Mr. Hollins, we have to threaten to tear down the building or possibly facilitate a transfer of the property to a rehabilitation company.

New Business

1. Mr. Wynkoop brought up the rental property on Groveport Road that had all the trash out front for the last two weeks. The tenant had obviously been evicted. Can zoning do anything to the landlord to force the cleanup? Mr. Hollins said that he would check into what can be done.
2. Mr. McCoy brought up Home Depot putting out the metal-shelving units again. Mr. Neimayer said that he would work with Mr. Hollins to what course of action can be taken.
3. Mr. Neimayer stated that the Fairfield County Sheriff's Office has been citing the trucks in the Wal-Mart parking lot and conferring with the store manager about the situation.

Planning and Zoning Administrator's Report

Adjournment

Mr. Vasko made a motion to adjourn this regular session of the Planning and Zoning Commission. Ms. Solomon seconded the motion. The motion passed unanimously.

Time Out: 8:41 p.m.

Date _____

Bill Christensen, Chairman

Mike Vasko, Secretary